

(2) has fulfilled the requirements for a waiver from—

(A) the Department of Defense as described under section 1062 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283); or

(B) the Director of the National Science Foundation in accordance with section 2525.

(e) **SUNSET.**—This section shall cease to be effective on the date that is 5 years after the date of enactment of this Act.

**SA 1982.** Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 3209(c)(2), strike “and the Secretary of the Treasury” and insert “, the Secretary of the Treasury, the Director of the National Science Foundation, and the Secretary of Energy”.

**SA 1983.** Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

#### **TITLE IV—AGGREGATED DEMAND MAPPING AND SUPPLY CHAINS**

##### **SEC. 6401. DEFINITIONS.**

In this title:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Finance and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Ways and Means and the Committee on Energy and Commerce of the House of Representatives.

(2) **INPUT.**—The term “input”—

(A) means a natural resource, raw material, or human resource used to construct a finished product or other good; and

(B) may be comprised of one or more components.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

(4) **TARGET INDUSTRY.**—The term “target industry” means an industry identified under section 6403(a).

(5) **UNITED STATES BUSINESS.**—The term “United States business” means a business that has a primary headquarters located in a State or territory of the United States.

##### **SEC. 6402. PURPOSES.**

The purposes of this title are—

(1) to reduce reliance on foreign manufacturing, boost United States job opportunities, and support domestic manufacturing;

(2) to provide transparency and assistance to manufacturers in order to divert supply

chains from foreign countries and back to the United States; and

(3) to facilitate understanding of the implications of economic, public health, and national security vulnerabilities in the United States supply chain.

##### **SEC. 6403. PILOT PROGRAM ON ONLINE TOOLKIT AND DATABASE ON AGGREGATED DEMAND MAPPING AND SUPPLY CHAINS FOR UNITED STATES BUSINESSES.**

(a) **DETERMINATION OF TARGET INDUSTRIES.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall identify 3 industries in the United States in which supply chain vulnerabilities exist related to the national security, economic security, or public health of the United States.

(2) **CONSULTATIONS.**—The Secretary may consult with the heads of other agencies in identifying the 3 target industries under paragraph (1).

(b) **PILOT PROGRAM FOR DEVELOPMENT OF ONLINE TOOLKIT AND DATABASE.**—Not later than one year after the date of the enactment of this Act, the Secretary of Commerce shall carry out a pilot program to develop—

(1) an online toolkit described in subsection (c); and

(2) a private and confidential database described in subsection (d).

(c) **ONLINE TOOLKIT.**—

(1) **IN GENERAL.**—The online toolkit described in this subsection is a mechanism under which—

(A) United States businesses directly related to a target industry voluntarily submit to the Secretary information, subject to subsection (e), on the products produced by such businesses and the inputs required for such products, which may include, with respect to such an input—

(i) the specific geographic location of the production of the input, including if the input is sourced from the United States or a foreign country;

(ii) the business name of a supplier of the input;

(iii) information related to perceived or realized challenges in securing the input;

(iv) information related to the suspected vulnerabilities or implications of a disruption in securing the input, whether related to national security or the effect on the United States business; or

(v) in the case of an input sourced from a foreign country, information on—

(I) why the input is sourced from a foreign country rather than in the United States; and

(II) if the United States business would be interested in identifying an alternative produced in the United States;

(B) United States businesses may opt in to requesting and receiving contact information or general information about a United States source or a foreign source for an input; and

(C) the Secretary makes information provided under this subsection available, subject to the requirements of subsection (e), to enable other United States businesses to identify inputs for their products produced in the United States.

(2) **RESTRICTIONS ON ACCESS TO ONLINE TOOLKIT.**—

(A) **IN GENERAL.**—The Secretary—

(i) shall ensure that the online toolkit described in paragraph (1) is accessible only by United States businesses registered with the Department of Commerce under subparagraph (B); and

(ii) may determine the scope of the access of a United States business described in subparagraph (A) to the online toolkit.

(B) **REGISTRATION OF UNITED STATES BUSINESSES.**—The Secretary shall establish a

process for registering each United States business that seeks access to the online toolkit. In registering a United States business under this subparagraph, the Secretary shall verify the identity of the business and that the business is not a foreign entity.

(3) **FORMAT: PUBLIC AVAILABILITY.**—The Secretary shall ensure that the online toolkit described in paragraph (1) is—

(A) searchable and filterable according to the type of information; and

(B) presented in a user-friendly format.

(d) **DATABASE.**—

(1) **IN GENERAL.**—The database described in this subsection is a database—

(A) containing information—

(i) described in subsection (c) voluntarily submitted by United States businesses directly related to a target industry; and

(ii) (I) with respect to which such businesses have specified under subsection (e)(1)(A)(ii) that the information is private and authorized to be shared only with the Department of Commerce for purposes of the analysis of supply chain vulnerabilities under section 6405; or

(II) treated as private and confidential under subsection (e)(1)(B); and

(B) available only to senior officials of the Department of Commerce for purposes of conducting that analysis.

(2) **PROHIBITION ON ACCESS.**—The Secretary shall prohibit any private entity from requesting or receiving information included in the database described in paragraph (1).

(3) **SECURITY.**—The Secretary shall make every reasonable effort to ensure the security and integrity of all information stored within the database described in paragraph (1) and to safeguard the database against cyberattacks.

(e) **CONFIDENTIALITY OF INFORMATION.**—

(1) **RESTRICTION OF SHARING OF INFORMATION BY UNITED STATES BUSINESSES.**—The Secretary shall ensure that, in submitting information to the Secretary under this section—

(A) a United States business is able to specify—

(i) what information may be shared with other United States businesses, including what information may be searchable by other businesses seeking to obtain information on inputs for their products produced in the United States;

(ii) what information should be private and shared only with the Department of Commerce for purposes of the analysis of supply chain vulnerabilities under section 6405; and

(iii) what information is business confidential or otherwise proprietary in nature and may be restricted in its dissemination to Congress in accordance with paragraph (2); and

(B) if a United States business does not specify under subparagraph (A) how the information may be shared, that information is treated as private and confidential.

(2) **EXEMPTION FROM PUBLIC DISCLOSURE.**—Information submitted to the Secretary in relation to the online toolkit and database established under this section—

(A) may not be considered public records and shall be exempt from any Federal law relating to public disclosure requirements; and

(B) may not be subject to discovery or admission as public information or evidence in judicial or administrative proceedings without the consent of the United States business that submitted the information.

(f) **VERIFICATION OF INFORMATION.**—The Secretary shall establish a process for verifying the accuracy of information submitted to the Secretary under this section.

(g) **REPORTING.**—

(1) **REPORT TO CONGRESS.**—

(A) **IN GENERAL.**—Not later than 18 months after the date of the enactment of this Act, and every 180 days thereafter, the Secretary

shall submit to the appropriate congressional committees a report that includes—

(i) an assessment of the pilot program carried out under this section, including statistics regarding the number of new entries, total businesses involvement, and any change in participation rate in the online toolkit and database during the preceding 180-day period;

(ii) recommendations for additional actions to improve the online toolkit and database and participation in the online toolkit and database; and

(iii) such other information as the Secretary considers appropriate.

(B) FORM.—Each report required by subparagraph (A) shall be submitted in unclassified form but may include a classified annex.

(2) PUBLIC REPORT.—

(A) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, and annually thereafter, the Secretary shall post on a publicly available website of the Department of Commerce a report that, except as provided by subparagraph (B), includes—

(i) general statistics related to foreign and domestic sourcing of inputs used by United States businesses;

(ii) an estimate of the percentage of total inputs used by United States businesses obtained from foreign countries;

(iii) data on such inputs disaggregated by industry, geographical location, and size of operation; and

(iv) a description of the methodology used to calculate the statistics and estimates described in this subparagraph.

(B) INSUFFICIENT INFORMATION.—If the Secretary determines that insufficient information was submitted by United States businesses under this section to generate the statistics and estimates described in subparagraph (A), the Secretary may (subject to subsection (e)) determine what information is appropriate to make available to the public under this paragraph.

(C) CONSULTATIONS.—The Secretary shall consult with the Secretary of Defense, the Secretary of Homeland Security, and the Director of National Intelligence in drafting the report required by subparagraph (A) to ensure that no sensitive information will be included in the report.

(h) APPLICABILITY OF OTHER LAWS.—The Secretary shall carry out this section in accordance with the following provisions of law:

(1) Subchapter I of chapter 35 of title 44, United States Code (commonly referred to as the “Paperwork Reduction Act”).

(2) Section 552a of title 5, United States Code (commonly referred to as the “Privacy Act of 1974”).

(3) Section 1905 of title 18, United States Code (commonly referred to as the “Trade Secrets Act”).

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) INITIAL FUNDING.—There are authorized to be appropriated to the Secretary \$12,000,000 for fiscal year 2022—

(A) for the establishment of the online toolkit and database under this section; and

(B) for the salaries and expenses of additional staff to carry out this section.

(2) ONGOING FUNDING.—There are authorized to be appropriated to the Secretary \$2,000,000 for each of fiscal years 2023 and 2024 to carry out this section.

(3) RETURN OF FUNDS.—The Secretary shall return to the Treasury any funds appropriated pursuant to an authorization of appropriations under this subsection that have not been obligated by the end of the fiscal year for which the funds were appropriated.

#### SEC. 6404. NATIONAL PUBLIC OUTREACH CAMPAIGN.

(a) IN GENERAL.—The Secretary shall carry out a national public outreach campaign—

(1) to educate United States businesses about the existence of the online toolkit and database established under section 6403; and

(2) to facilitate and encourage the participation of such businesses in the online toolkit and database.

(b) OUTREACH REQUIREMENT.—In carrying out the campaign under subsection (a), the Secretary shall—

(1) establish an advertising and outreach program directed to businesses, industries, State and local agencies, chambers of commerce, and labor organizations—

(A) to facilitate understanding of the value of an aggregated demand mapping system; and

(B) to advertise that the online toolkit described in section 6403(c) is available for that purpose;

(2) notify appropriate State agencies not later than 10 days after the date of the enactment of this Act regarding the development of the online toolkit; and

(3) post a notice on a publicly available website of the Department of Commerce and establish a social media awareness campaign to advertise the online toolkit.

(c) COORDINATION.—In carrying out the campaign under subsection (a), the Secretary may coordinate with other Federal agencies and State or local agencies as appropriate.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary \$8,000,000 for each of fiscal years 2022 through 2024 to carry out this section.

(e) SEPARATE ACCOUNTING.—

(1) BUDGETARY LINE ITEM.—The Secretary shall include in the budget justification materials submitted to Congress in support of the Department of Commerce budget for fiscal years 2023 and 2024 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) specific identification, as a budgetary line item, of the amounts required to carry out the campaign under subsection (a).

(2) PROHIBITION ON COMMINGLING.—Amounts appropriated to carry out this section may not be commingled with any other amounts appropriated to the Department of Commerce.

#### SEC. 6405. ANALYSIS OF SUPPLY CHAIN VULNERABILITIES.

The Secretary shall use the information in the database described in section 6403(d) to identify and analyze vulnerabilities in the United States supply chains of the target industries that will result in a threat, if disrupted, to the national security, economic security, or public health of the United States.

#### SEC. 6406. USE OF DEPARTMENT OF COMMERCE RESOURCES.

(a) IN GENERAL.—The Secretary—

(1) shall, to the maximum extent practicable, construct the online toolkit and database established under section 6403, and related analytical features, using expertise within the Department of Commerce; and

(2) may, as appropriate, adopt new technologies and hire additional employees to carry out this title.

(b) MINIMIZATION OF CONTRACTING.—If the activities described in paragraphs (1) and (2) of subsection (a) cannot be completed without the employment of contractors, the Secretary should seek to minimize the number of contractors and the scope of the contract.

#### SEC. 6407. AUTHORIZATION OF APPROPRIATIONS FOR CYBERSECURITY INFRASTRUCTURE.

There are authorized to be appropriated to the Secretary of Commerce \$5,000,000 for

each of fiscal years 2022 through 2024 for efforts relating to collecting and protecting information, and modernizing the technology infrastructure of the Department of Commerce.

#### SEC. 6408. TERMINATION.

This title shall terminate on September 30, 2026.

**SA 1984.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division E, insert the following:

#### SEC. 52. SHAREHOLDER NATIONAL SECURITY AWARENESS.

(a) SHORT TITLE.—This section may be cited as the “Shareholder National Security Awareness Act of 2021”.

(b) FINDINGS.—Congress finds the following:

(1) The national security of the United States is a necessary condition for the advancement of the national public interest, the general welfare, and the volume of credit available for trade, industry, and transportation, which form the bases for the necessity of the regulation of transactions in securities, as described in section 2 of the Securities Exchange Act of 1934 (15 U.S.C. 78b).

(2) Transactions in securities may adversely affect the national security of the United States in a manner that is analogous to the circumstances described in paragraphs (3) and (4) of section 2 of the Securities Exchange Act of 1934 (15 U.S.C. 78b), which state that the unreasonable expansion and contraction of the volume of credit is caused by the susceptibility of the prices of securities to manipulation and control, excessive speculation, and sudden and unreasonable fluctuations.

(3) In the case of the national security of the United States, the susceptibility of the prices of securities to manipulation and control, excessive speculation, and sudden and unreasonable fluctuations may create business financing conditions that prevent, erode, or cause the abandonment of long-term investment that is necessary for the formation, development, and maintenance of capital assets that perform functions that are essential to the national security of the United States by—

(A) undervaluing those capital assets relative to their necessity to the United States; and

(B) overvaluing transactions that would reduce, downsize, outsource, or offshore the operation of those capital assets.

(4) In the report to Congress required under section 2504 of title 10, United States Code, with respect to fiscal year 2020, the Department of Defense stated that “a U.S. business climate that has favored short-term shareholder earnings . . . [has] severely damaged America’s ability to arm itself today and in the future”.

(5) The susceptibility of the prices of securities to manipulation and control, excessive speculation, and sudden and unreasonable fluctuations establishes, with respect to capital assets that are essential to the national